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JF

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Pacifico et al. Examiner: Samuel A. Acquah  
Serial No.: 09/996,636 Group Art Unit: 1711  
Filing Date: November 29, 2001 Docket: 1001-13 RES  
Confirmation No.: 4050 Dated: June 18, 2004  
For: SENSITIVE SUBSTANCE  
ENCAPSULATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*I hereby certify this correspondence is being deposited  
with the United States Postal Service as first class mail,  
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on June 18, 2004*

Signed: Carlo Bryan

TRANSMITTAL OF DECLARATION OF WEN-HSIN WU

Sir:

Transmitted herewith is a Declaration executed by Wen-Hsin Wu in the above-identified application. Applicants had filed a Petition under 37 C.F.R. 1.47(a) for acceptance of the Declaration without execution by Wen-Hsin Wu and Marta Fraley. The Petition was granted. However, Wen-Hsin Wu has now executed the Declaration that is being filed herewith.

If the Examiner has any questions or comments relating to the present application, he is respectfully invited to contact Applicants' attorney at the telephone number set forth.

Respectfully submitted,

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JUN 21 2004

PTO/SB/51 (06-03)

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## REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)  
1001-13 RES

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,251,478 B1, granted June 26, 2001

and for which a reissue patent is sought on the invention entitled Sensitive Substance Encapsulation

the specification of which

☐ is attached hereto.

☒ was filed on November 29, 2001 as reissue application number 09/996,636  
and was amended Nov. 29, 2001 and May 24, 2002  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/2B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming ~~more or less than~~ he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The only independent claim of the original patent (Claim 1) reads as follows:

"1. A method of encapsulating a sensitive material comprising:  
plating the sensitive material onto a solid carrier, in an atmosphere inert to the sensitive material, to form a plated material; and encapsulating the plated material."

This claim is unnecessarily limiting. Claim 1 recites "plating the sensitive material onto a solid carrier." The patent discloses and enables additional embodiments which were erroneously not claimed.

In particular, encapsulation by plating "onto a solid carrier" is not required in all the disclosed embodiments. The sensitive material can be encapsulated without the use of a solid carrier.

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This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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P. 2

P1 US/58/51 (00-03)

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## (REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)  
1001-13 RES

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this

Name(s) \_\_\_\_\_ Registration Number \_\_\_\_\_  
See attached rider. \_\_\_\_\_

Correspondence Address: Direct all communications about the application to:

☐ Customer Number 23869

OR

<input checked="" type="checkbox"/> Firm or					
Address	HOFFMANN & BARON, LLP				
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

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☐ Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached